

Offered: 4/1/86
Referred: Rules

Original sponsors: Clocksin, Szymanski,
Shultz, et al

1 IN THE HOUSE BY THE FINANCE COMMITTEE
2 CS FOR HOUSE BILL NO. 561 (Finance) am
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - SECOND SESSION
5 A BILL
6 For an Act entitled: "An Act relating to public use cabins; and providing
7 for an effective date."
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
9 * Section 1. LEGISLATIVE PURPOSE. The legislature determines that it
10 is in the public interest to create the Alaska Public Use Cabin System and
11 place within that system cabins owned or built by the state on the reserved
12 or unreserved public land of the state and that the system be managed for
13 the benefit of the residents of the state and visitors to the state.
14 * Sec. 2. AS 41.21.020(a) is amended to read:
15 (a) The Department of Natural Resources shall
16 (1) develop a continuing plan for the conservation and
17 maximum use in the public interest of the scenic, historic, archaeo-
18 logic, scientific, biological, and recreational resources of the
19 state;
20 (2) plan for and develop a system of state parks and recre-
21 ational facilities, to be established as the legislature authorizes
22 and directs;
23 (3) acquire by gift, purchase, or transfer from state or
24 federal agencies, or from individuals, corporations, partnerships or
25 associations, land necessary, suitable and proper for roadside, pic-
26 nic, recreational, or park purposes;
27 (4) control, develop and maintain state parks and recre-
28 ational areas;
29 (5) provide for the acquisition, care, control,

1 supervision, improvement, development, extension, and maintenance of
2 public recreational land, and make necessary arrangements, contracts,
3 or commitments for the improvement and development of land acquired
4 under AS 41.21.010 - 41.21.040;

5 (6) adopt, in accordance with this section and the Adminis-
6 trative Procedure Act (AS 44.62), regulations governing the use and
7 designating incompatible uses within the boundaries of state park and
8 recreational areas to protect the property and to preserve the peace;

9 (7) cooperate with the United States and its agencies and
10 local subdivisions of the state to secure the effective supervision,
11 improvement, development, extension, and maintenance of state parks,
12 state monuments, state historical areas, and state recreational areas,
13 and secure agreements or contracts for the purpose of AS 41.21.010 -
14 41.21.040;

15 (8) encourage the organization of state public park and
16 recreational activities in the local political subdivisions of the
17 state;

18 (9) provide for consulting service designed to develop
19 local park and recreation facilities and programs;

20 (10) provide clearing-house services for other state agen-
21 cies concerned with park and recreation matters; and

22 (11) perform other duties as are prescribed by executive
23 order or by law;

24 (12) maintain memorials to Alaska veterans located in state
25 parks;

26 (13) adopt, in accordance with the Administrative Procedure
27 Act (AS 44.62), regulations governing the use of the Chena River State
28 Recreation Area and designating incompatible uses within the boundar-
29 ies of the Chena River State Recreation Area in accordance with

1 AS 41.21.490;

2 (14) manage the cabins owned by the state under AS 41.-
3 21.880.

4 * Sec. 3. AS 41.21 is amended by adding a new section to article 7 to
5 read:

6 Sec. 41.21.880. PUBLIC USE CABINS. (a) There is established a
7 system of public use cabins to be managed by the commissioner and
8 called the Alaska Public Use Cabin System. The commissioner shall
9 publicize the existence of the public use cabins and shall establish a
10 reservation system for the cabins.

11 (b) The commissioner shall establish a fee schedule for the use
12 of the cabins. Fees collected under this subsection shall be de-
13 posited in the general fund. The commissioner of administration shall
14 separately account for fees collected and deposited by the commis-
15 sioner of natural resources under this subsection. The annual esti-
16 mated balance in the account may be appropriated by the legislature to
17 the Department of Natural Resources to carry out the purposes of this
18 section. In establishing the fees, the commissioner shall consider

19 (1) the cost to the state of building, renovating, and
20 maintaining the cabins;

21 (2) the cost of administering reservations and collecting
22 the fees charged for use of the cabins; and

23 (3) the public interest.

24 (c) Cabins that were constructed on public land without proper
25 authority and that have been or will be acquired by the state may be
26 renovated by the commissioner for inclusion in the Alaska Public Use
27 Cabin System. Within available appropriations, the commissioner may
28 build or acquire cabins for inclusion in the cabin system. Under
29 state contracting procedures the commissioner may contract for the

1 construction, rehabilitation, operation, and maintenance of cabins
2 within the system.

3 (d) The commissioner may cooperate with local groups and with
4 state and federal agencies to maintain and improve the cabin system.
5 The commissioner shall evaluate existing and potential cabin sites and
6 conduct resource planning and public review in the process of des-
7 ignating cabins into the system. The commissioner may develop an
8 operational plan for the renovation, construction, or removal of
9 cabins.

10 (e) A person using a public use cabin may not recover damages
11 from the state for an injury arising out of the use of the public use
12 cabin unless the injury was caused by the gross negligence of the
13 state.

14 (f) In establishing and managing a public use cabin system on
15 state game refuges, critical habitat areas, and game sanctuaries
16 established under AS 16.20, the commissioner shall obtain the concur-
17 rence of the commissioner of fish and game.

18 (g) The commissioner shall make an annual report to the legisla-
19 ture on the costs, occupancy rates, fees collected, the number and
20 location of cabins in the system, and other information considered
21 relevant by the commissioner.

22 (h) In this section, "public use cabins" includes cabins desig-
23 nated by the commissioner that

24 (1) were constructed on state land without proper authority
25 of law and that have been acquired by the state in the past or that
26 are acquired by the state in the future and meet minimum standards for
27 safety and liability requirements; or

28 (2) are cabins owned by the state and used for temporary
29 recreational use.

1 * Sec. 4. This Act takes effect immediately in accordance with AS 01.-
2 10.070(c).